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Attorneys for Defendant Peoria Unified
School District

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

Sarah Johnson, as mother of MC, a minor
child,

Plaintiffs,

v.

Peoria Unified School District; Cave
Creek Unified School District; Deer
Valley Unified School District; Debbie
Burdick; Mark Warren; Robert Miller;
Nancy Shaver, Julie Vandenberg; Sydney
Meyers; Matthew Owsley; Jennifer
Purvis; Janiene Marlow; Jana Miller;
Joshua Rawlings; Monica Clay,

Defendants.

No. 24-cv-03456-ROS

**DEFENDANT PEORIA UNIFIED
SCHOOL DISTRICT, JOSHUA
RAWLINGS AND MONICA CLAY'S
ANSWER TO PLAINTIFF'S FIRST
AMENDED COMPLAINT**

Defendants Peoria Unified School District, Joshua Rawlings and Monica
Clay (collectively, "Defendants"), through undersigned counsel, answer Plaintiff's First
Amended Complaint by alleging, admitting, denying and asserting as follows:

INTRODUCTION

Defendants deny the allegations in the Introduction section of the First
Amended Complaint and the OCR Complaint filed by Sarah Johnson and assert that the
OCR summary of findings and OCR's letter dated September 30, 2022 are hearsay.

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JURISDICTION AND VENUE

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2 1. Answering Paragraph 1, Defendants deny that they caused any of the
3 events or actions complained of in the complaint, admit only that this court has subject
4 matter jurisdiction, and deny all remaining allegations.

5 2. Defendants admit the allegations in Paragraph 2.

6 3. Answering Paragraph 3, Defendants admit only that jurisdiction is
7 proper and deny all remaining allegations.

8 4. Defendants deny the allegations in Paragraph 4.

9 5. Answering Paragraph 5, Defendants deny that they committed any
10 events or acts complained of in the complaint and admit only that at the time the events or
11 acts complained of occurred, MC was a minor.

12 6. Answering Paragraph 6, Defendants assert that they did not cause any
13 of the acts or events complained of in the complaint, admit only that venue is proper, and
14 deny all remaining allegations.

PARTIES

15
16 7. Answering Paragraph 7, Defendants are without sufficient
17 information or knowledge to form a belief as to the truth or falsity of the allegations in
18 Paragraph 7 and, therefore, deny such allegations.

19 8. Answering Paragraph 8, Defendants are without sufficient
20 information or knowledge to form a belief as to the truth or falsity of the allegations in
21 Paragraph 8 and, therefore, deny such allegations.

22 9. Defendants admit the allegations in Paragraph 9.

23 10. Defendants admit the allegations in Paragraph 10.

24 11. Defendants admit the allegations in Paragraph 11.

25 12. Defendants admit the allegations in Paragraph 12.

26 13. Answering Paragraph 13, Defendants are without sufficient
27 information or knowledge to form a belief as to the truth or falsity of the allegations in
28 Paragraph 13 and, therefore, deny such allegations.

1 14. Answering Paragraph 14, Defendants are without sufficient
2 information or knowledge to form a belief as to the truth or falsity of the allegations in
3 Paragraph 14 and, therefore, deny such allegations.

4 15. Answering Paragraph 15, Defendants are without sufficient
5 information or knowledge to form a belief as to the truth or falsity of the allegations in
6 Paragraph 15 and, therefore, deny such allegations.

7 16. Answering Paragraph 16, Defendants are without sufficient
8 information or knowledge to form a belief as to the truth or falsity of the allegations in
9 Paragraph 16 and, therefore, deny such allegations.

10 17. Answering Paragraph 17, Defendants are without sufficient
11 information or knowledge to form a belief as to the truth or falsity of the allegations in
12 Paragraph 17 and, therefore, deny such allegations.

13 18. Answering Paragraph 18, Defendants are without sufficient
14 information or knowledge to form a belief as to the truth or falsity of the allegations in
15 Paragraph 18 and, therefore, deny such allegations.

16 19. Answering Paragraph 19, Defendants are without sufficient
17 information or knowledge to form a belief as to the truth or falsity of the allegations in
18 Paragraph 19 and, therefore, deny such allegations.

19 20. Answering Paragraph 20, Defendants are without sufficient
20 information or knowledge to form a belief as to the truth or falsity of the allegations in
21 Paragraph 20 and, therefore, deny such allegations.

22 21. Answering Paragraph 21, Defendants are without sufficient
23 information or knowledge to form a belief as to the truth or falsity of the allegations in
24 Paragraph 21 and, therefore, deny such allegations.

25 22. Answering Paragraph 22, Defendants are without sufficient
26 information or knowledge to form a belief as to the truth or falsity of the allegations in
27 Paragraph 22 and, therefore, deny such allegations.

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23. Answering Paragraph 23, Defendants admit only that Joshua Rawlings is a resident of Maricopa County and denies all remaining allegations.

24. Answering Paragraph 24, Defendants admit only that Monica Clay is a resident of Maricopa County and denies all remaining allegations.

ALLEGATIONS

25. Answering Paragraph 25, Defendants are without sufficient information or knowledge to form a belief as to the truth or falsity of the allegations in Paragraph 25 and, therefore, deny such allegations.

26. Answering Paragraph 26, Defendants are without sufficient information or knowledge to form a belief as to the truth or falsity of the allegations in Paragraph 26 and, therefore, deny such allegations.

27. Answering Paragraph 27, Defendants are without sufficient information or knowledge to form a belief as to the truth or falsity of the allegations in Paragraph 27 and, therefore, deny such allegations.

28. Answering Paragraph 28, Defendants are without sufficient information or knowledge to form a belief as to the truth or falsity of the allegations in Paragraph 28 and, therefore, deny such allegations.

29. Answering Paragraph 29, Defendants are without sufficient information or knowledge to form a belief as to the truth or falsity of the allegations in Paragraph 29 and, therefore, deny such allegations.

30. Answering Paragraph 30, Defendants are without sufficient information or knowledge to form a belief as to the truth or falsity of the allegations in Paragraph 30 and, therefore, deny such allegations.

31. Answering Paragraph 31, Defendants are without sufficient information or knowledge to form a belief as to the truth or falsity of the allegations in Paragraph 31 and, therefore, deny such allegations.

1 32. Answering Paragraph 32, Defendants are without sufficient
2 information or knowledge to form a belief as to the truth or falsity of the allegations in
3 Paragraph 32 and, therefore, deny such allegations.

4 33. Answering Paragraph 33, Defendants are without sufficient
5 information or knowledge to form a belief as to the truth or falsity of the allegations in
6 Paragraph 33 and, therefore, deny such allegations.

7 34. Answering Paragraph 34, Defendants are without sufficient
8 information or knowledge to form a belief as to the truth or falsity of the allegations in
9 Paragraph 34 and, therefore, deny such allegations.

10 35. Answering Paragraph 35, Defendants are without sufficient
11 information or knowledge to form a belief as to the truth or falsity of the allegations in
12 Paragraph 35 and, therefore, deny such allegations.

13 36. Answering Paragraph 36, Defendants are without sufficient
14 information or knowledge to form a belief as to the truth or falsity of the allegations in
15 Paragraph 36 and, therefore, deny such allegations.

16 37. Answering Paragraph 37, Defendants are without sufficient
17 information or knowledge to form a belief as to the truth or falsity of the allegations in
18 Paragraph 37 and, therefore, deny such allegations.

19 38. Answering Paragraph 38, Defendants are without sufficient
20 information or knowledge to form a belief as to the truth or falsity of the allegations in
21 Paragraph 38 and, therefore, deny such allegations.

22 39. Answering Paragraph 39, Defendants are without sufficient
23 information or knowledge to form a belief as to the truth or falsity of the allegations in
24 Paragraph 39 and, therefore, deny such allegations.

25 40. Answering Paragraph 40, Defendants are without sufficient
26 information or knowledge to form a belief as to the truth or falsity of the allegations in
27 Paragraph 40 and, therefore, deny such allegations.

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1 41. Answering Paragraph 41, Defendants are without sufficient
2 information or knowledge to form a belief as to the truth or falsity of the allegations in
3 Paragraph 41 and, therefore, deny such allegations.

4 42. Answering Paragraph 42, Defendants are without sufficient
5 information or knowledge to form a belief as to the truth or falsity of the allegations in
6 Paragraph 42 and, therefore, deny such allegations.

7 43. Answering Paragraph 43, Defendants are without sufficient
8 information or knowledge to form a belief as to the truth or falsity of the allegations in
9 Paragraph 43 and, therefore, deny such allegations.

10 44. Answering Paragraph 44, Defendants are without sufficient
11 information or knowledge to form a belief as to the truth or falsity of the allegations in
12 Paragraph 44 and, therefore, deny such allegations.

13 45. Answering Paragraph 45, Defendants are without sufficient
14 information or knowledge to form a belief as to the truth or falsity of the allegations in
15 Paragraph 45 and, therefore, deny such allegations.

16 46. Answering Paragraph 46, Defendants are without sufficient
17 information or knowledge to form a belief as to the truth or falsity of the allegations in
18 Paragraph 46 and, therefore, deny such allegations.

19 47. Answering Paragraph 47, Defendants are without sufficient
20 information or knowledge to form a belief as to the truth or falsity of the allegations in
21 Paragraph 47 and, therefore, deny such allegations.

22 48. Answering Paragraph 48, Defendants are without sufficient
23 information or knowledge to form a belief as to the truth or falsity of the allegations in
24 Paragraph 48 and, therefore, deny such allegations.

25 49. Answering Paragraph 49, Defendants are without sufficient
26 information or knowledge to form a belief as to the truth or falsity of the allegations in
27 Paragraph 49 and, therefore, deny such allegations.

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1 50. Answering Paragraph 50, Defendants are without sufficient
2 information or knowledge to form a belief as to the truth or falsity of the allegations in
3 Paragraph 50 and, therefore, deny such allegations.

4 51. Answering Paragraph 51, Defendants are without sufficient
5 information or knowledge to form a belief as to the truth or falsity of the allegations in
6 Paragraph 51 and, therefore, deny such allegations.

7 52. Answering Paragraph 52, Defendants are without sufficient
8 information or knowledge to form a belief as to the truth or falsity of the allegations in
9 Paragraph 52 and, therefore, deny such allegations.

10 53. Answering Paragraph 53, Defendants are without sufficient
11 information or knowledge to form a belief as to the truth or falsity of the allegations in
12 Paragraph 53 and, therefore, deny such allegations.

13 54. Answering Paragraph 54, Defendants are without sufficient
14 information or knowledge to form a belief as to the truth or falsity of the allegations in
15 Paragraph 54 and, therefore, deny such allegations.

16 55. Answering Paragraph 55, Defendants are without sufficient
17 information or knowledge to form a belief as to the truth or falsity of the allegations in
18 Paragraph 55 and, therefore, deny such allegations.

19 56. Answering Paragraph 56, Defendants are without sufficient
20 information or knowledge to form a belief as to the truth or falsity of the allegations in
21 Paragraph 56 and, therefore, deny such allegations.

22 57. Answering Paragraph 57, Defendants are without sufficient
23 information or knowledge to form a belief as to the truth or falsity of the allegations in
24 Paragraph 57 and, therefore, deny such allegations.

25 58. Answering Paragraph 58, Defendants are without sufficient
26 information or knowledge to form a belief as to the truth or falsity of the allegations in
27 Paragraph 58 and, therefore, deny such allegations.

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1 59. Answering Paragraph 59, Defendants are without sufficient
2 information or knowledge to form a belief as to the truth or falsity of the allegations in
3 Paragraph 59 and, therefore, deny such allegations.

4 60. Answering Paragraph 60, Defendants are without sufficient
5 information or knowledge to form a belief as to the truth or falsity of the allegations in
6 Paragraph 60 and, therefore, deny such allegations.

7 61. Answering Paragraph 61, Defendants are without sufficient
8 information or knowledge to form a belief as to the truth or falsity of the allegations in
9 Paragraph 61 and, therefore, deny such allegations.

10 62. Answering Paragraph 62, Defendants are without sufficient
11 information or knowledge to form a belief as to the truth or falsity of the allegations in
12 Paragraph 62 and, therefore, deny such allegations.

13 63. Answering Paragraph 63, Defendants are without sufficient
14 information or knowledge to form a belief as to the truth or falsity of the allegations in
15 Paragraph 63 and, therefore, deny such allegations.

16 64. Answering Paragraph 64, Defendants are without sufficient
17 information or knowledge to form a belief as to the truth or falsity of the allegations in
18 Paragraph 64 and, therefore, deny such allegations.

19 65. Answering Paragraph 65, Defendants are without sufficient
20 information or knowledge to form a belief as to the truth or falsity of the allegations in
21 Paragraph 65 and, therefore, deny such allegations.

22 66. Answering Paragraph 66, Defendants are without sufficient
23 information or knowledge to form a belief as to the truth or falsity of the allegations in
24 Paragraph 66 and, therefore, deny such allegations.

25 67. Answering Paragraph 67, Defendants are without sufficient
26 information or knowledge to form a belief as to the truth or falsity of the allegations in
27 Paragraph 67 and, therefore, deny such allegations.

28

1 68. Answering Paragraph 68, Defendants are without sufficient
2 information or knowledge to form a belief as to the truth or falsity of the allegations in
3 Paragraph 68 and, therefore, deny such allegations.

4 69. Answering Paragraph 69, Defendants are without sufficient
5 information or knowledge to form a belief as to the truth or falsity of the allegations in
6 Paragraph 69 and, therefore, deny such allegations.

7 70. Answering Paragraph 70, Defendants are without sufficient
8 information or knowledge to form a belief as to the truth or falsity of the allegations in
9 Paragraph 70 and, therefore, deny such allegations.

10 71. Answering Paragraph 71, Defendants are without sufficient
11 information or knowledge to form a belief as to the truth or falsity of the allegations in
12 Paragraph 71 and, therefore, deny such allegations.

13 72. Answering Paragraph 72, Defendants are without sufficient
14 information or knowledge to form a belief as to the truth or falsity of the allegations in
15 Paragraph 72 and, therefore, deny such allegations.

16 73. Answering Paragraph 73, Defendants are without sufficient
17 information or knowledge to form a belief as to the truth or falsity of the allegations in
18 Paragraph 73 and, therefore, deny such allegations.

19 74. Answering Paragraph 74, Defendants are without sufficient
20 information or knowledge to form a belief as to the truth or falsity of the allegations in
21 Paragraph 74 and, therefore, deny such allegations.

22 75. Answering Paragraph 75, Defendants are without sufficient
23 information or knowledge to form a belief as to the truth or falsity of the allegations in
24 Paragraph 75 and, therefore, deny such allegations.

25 76. Answering Paragraph 76, Defendants are without sufficient
26 information or knowledge to form a belief as to the truth or falsity of the allegations in
27 Paragraph 76 and, therefore, deny such allegations.

28

1 77. Answering Paragraph 77, Defendants are without sufficient
2 information or knowledge to form a belief as to the truth or falsity of the allegations in
3 Paragraph 77 and, therefore, deny such allegations.

4 78. Answering Paragraph 78, Defendants are without sufficient
5 information or knowledge to form a belief as to the truth or falsity of the allegations in
6 Paragraph 78 and, therefore, deny such allegations.

7 79. Answering Paragraph 79, Defendants are without sufficient
8 information or knowledge to form a belief as to the truth or falsity of the allegations in
9 Paragraph 79 and, therefore, deny such allegations.

10 80. Answering Paragraph 80, Defendants are without sufficient
11 information or knowledge to form a belief as to the truth or falsity of the allegations in
12 Paragraph 80 and, therefore, deny such allegations.

13 81. Answering Paragraph 81, Defendants are without sufficient
14 information or knowledge to form a belief as to the truth or falsity of the allegations in
15 Paragraph 81 and, therefore, deny such allegations.

16 82. Answering Paragraph 82, Defendants are without sufficient
17 information or knowledge to form a belief as to the truth or falsity of the allegations in
18 Paragraph 82 and, therefore, deny such allegations.

19 83. Answering Paragraph 83, Defendants are without sufficient
20 information or knowledge to form a belief as to the truth or falsity of the allegations in
21 Paragraph 83 and, therefore, deny such allegations.

22 84. Answering Paragraph 84, Defendants are without sufficient
23 information or knowledge to form a belief as to the truth or falsity of the allegations in
24 Paragraph 84 and, therefore, deny such allegations.

25 85. Answering Paragraph 85, Defendants are without sufficient
26 information or knowledge to form a belief as to the truth or falsity of the allegations in
27 Paragraph 85 and, therefore, deny such allegations.

28

1 86. Answering Paragraph 86, Defendants are without sufficient
2 information or knowledge to form a belief as to the truth or falsity of the allegations in
3 Paragraph 86 and, therefore, deny such allegations.

4 87. Answering Paragraph 87, Defendants are without sufficient
5 information or knowledge to form a belief as to the truth or falsity of the allegations in
6 Paragraph 87 and, therefore, deny such allegations.

7 88. Answering Paragraph 88, Defendants are without sufficient
8 information or knowledge to form a belief as to the truth or falsity of the allegations in
9 Paragraph 88 and, therefore, deny such allegations.

10 89. Answering Paragraph 89, Defendants are without sufficient
11 information or knowledge to form a belief as to the truth or falsity of the allegations in
12 Paragraph 89 and, therefore, deny such allegations.

13 90. Answering Paragraph 90, Defendants are without sufficient
14 information or knowledge to form a belief as to the truth or falsity of the allegations in
15 Paragraph 90 and, therefore, deny such allegations.

16 91. Answering Paragraph 91, Defendants are without sufficient
17 information or knowledge to form a belief as to the truth or falsity of the allegations in
18 Paragraph 91 and, therefore, deny such allegations.

19 92. Answering Paragraph 92, Defendants are without sufficient
20 information or knowledge to form a belief as to the truth or falsity of the allegations in
21 Paragraph 92 and, therefore, deny such allegations.

22 93. Answering Paragraph 93, Defendants are without sufficient
23 information or knowledge to form a belief as to the truth or falsity of the allegations in
24 Paragraph 93 and, therefore, deny such allegations.

25 94. Answering Paragraph 94, Defendants are without sufficient
26 information or knowledge to form a belief as to the truth or falsity of the allegations in
27 Paragraph 94 and, therefore, deny such allegations.

28

1 95. Answering Paragraph 95, Defendants are without sufficient
2 information or knowledge to form a belief as to the truth or falsity of the allegations in
3 Paragraph 95 and, therefore, deny such allegations.

4 96. Answering Paragraph 96, Defendants are without sufficient
5 information or knowledge to form a belief as to the truth or falsity of the allegations in
6 Paragraph 96 and, therefore, deny such allegations.

7 97. Answering Paragraph 97, Defendants are without sufficient
8 information or knowledge to form a belief as to the truth or falsity of the allegations in
9 Paragraph 97 and, therefore, deny such allegations.

10 98. Answering Paragraph 98, Defendants are without sufficient
11 information or knowledge to form a belief as to the truth or falsity of the allegations in
12 Paragraph 98 and, therefore, deny such allegations.

13 99. Answering Paragraph 99, Defendants are without sufficient
14 information or knowledge to form a belief as to the truth or falsity of the allegations in
15 Paragraph 99 and, therefore, deny such allegations.

16 100. Answering Paragraph 100, Defendants are without sufficient
17 information or knowledge to form a belief as to the truth or falsity of the allegations in
18 Paragraph 100 and, therefore, deny such allegations.

19 101. Answering Paragraph 101, Defendants are without sufficient
20 information or knowledge to form a belief as to the truth or falsity of the allegations in
21 Paragraph 101 and, therefore, deny such allegations.

22 102. Answering Paragraph 102, Defendants are without sufficient
23 information or knowledge to form a belief as to the truth or falsity of the allegations in
24 Paragraph 102 and, therefore, deny such allegations.

25 103. Answering Paragraph 103, Defendants are without sufficient
26 information or knowledge to form a belief as to the truth or falsity of the allegations in
27 Paragraph 103 and, therefore, deny such allegations.

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1 104. Answering Paragraph 104, Defendants are without sufficient
2 information or knowledge to form a belief as to the truth or falsity of the allegations in
3 Paragraph 104 and, therefore, deny such allegations.

4 105. Answering Paragraph 105, Defendants are without sufficient
5 information or knowledge to form a belief as to the truth or falsity of the allegations in
6 Paragraph 105 and, therefore, deny such allegations.

7 106. Answering Paragraph 106, Defendants are without sufficient
8 information or knowledge to form a belief as to the truth or falsity of the allegations in
9 Paragraph 106 and, therefore, deny such allegations.

10 107. Answering Paragraph 107, Defendants are without sufficient
11 information or knowledge to form a belief as to the truth or falsity of the allegations in
12 Paragraph 107 and, therefore, deny such allegations.

13 108. Answering Paragraph 108, Defendants are without sufficient
14 information or knowledge to form a belief as to the truth or falsity of the allegations in
15 Paragraph 108 and, therefore, deny such allegations.

16 109. Answering Paragraph 109, Defendants are without sufficient
17 information or knowledge to form a belief as to the truth or falsity of the allegations in
18 Paragraph 109 and, therefore, deny such allegations.

19 110. Answering Paragraph 110, Defendants are without sufficient
20 information or knowledge to form a belief as to the truth or falsity of the allegations in
21 Paragraph 110 and, therefore, deny such allegations.

22 111. Answering Paragraph 111, Defendants are without sufficient
23 information or knowledge to form a belief as to the truth or falsity of the allegations in
24 Paragraph 111 and, therefore, deny such allegations.

25 112. Answering Paragraph 112, Defendants are without sufficient
26 information or knowledge to form a belief as to the truth or falsity of the allegations in
27 Paragraph 112 and, therefore, deny such allegations.

28

1 113. Answering Paragraph 113, Defendants are without sufficient
2 information or knowledge to form a belief as to the truth or falsity of the allegations in
3 Paragraph 113 and, therefore, deny such allegations.

4 114. Answering Paragraph 114, Defendants are without sufficient
5 information or knowledge to form a belief as to the truth or falsity of the allegations in
6 Paragraph 114 and, therefore, deny such allegations.

7 115. Answering Paragraph 115, Defendants are without sufficient
8 information or knowledge to form a belief as to the truth or falsity of the allegations in
9 Paragraph 115 and, therefore, deny such allegations.

10 116. Answering Paragraph 116, Defendants are without sufficient
11 information or knowledge to form a belief as to the truth or falsity of the allegations in
12 Paragraph 116 and, therefore, deny such allegations.

13 117. Answering Paragraph 117, Defendants are without sufficient
14 information or knowledge to form a belief as to the truth or falsity of the allegations in
15 Paragraph 117 and, therefore, deny such allegations.

16 118. Answering Paragraph 118, Defendants are without sufficient
17 information or knowledge to form a belief as to the truth or falsity of the allegations in
18 Paragraph 118 and, therefore, deny such allegations.

19 119. Answering Paragraph 119, Defendants are without sufficient
20 information or knowledge to form a belief as to the truth or falsity of the allegations in
21 Paragraph 119 and, therefore, deny such allegations.

22 120. Answering Paragraph 120, Defendants are without sufficient
23 information or knowledge to form a belief as to the truth or falsity of the allegations in
24 Paragraph 120 and, therefore, deny such allegations.

25 121. Answering Paragraph 121, Defendants are without sufficient
26 information or knowledge to form a belief as to the truth or falsity of the allegations in
27 Paragraph 121 and, therefore, deny such allegations.

28

1 122. Answering Paragraph 122, Defendants are without sufficient
2 information or knowledge to form a belief as to the truth or falsity of the allegations in
3 Paragraph 122 and, therefore, deny such allegations.

4 123. Answering Paragraph 123, Defendants are without sufficient
5 information or knowledge to form a belief as to the truth or falsity of the allegations in
6 Paragraph 123 and, therefore, deny such allegations.

7 124. Answering Paragraph 124, Defendants are without sufficient
8 information or knowledge to form a belief as to the truth or falsity of the allegations in
9 Paragraph 124 and, therefore, deny such allegations.

10 125. Answering Paragraph 125, Defendants are without sufficient
11 information or knowledge to form a belief as to the truth or falsity of the allegations in
12 Paragraph 125 and, therefore, deny such allegations.

13 126. Answering Paragraph 126, Defendants are without sufficient
14 information or knowledge to form a belief as to the truth or falsity of the allegations in
15 Paragraph 126 and, therefore, deny such allegations.

16 127. Answering Paragraph 127, Defendants are without sufficient
17 information or knowledge to form a belief as to the truth or falsity of the allegations in
18 Paragraph 127 and, therefore, deny such allegations.

19 128. Answering Paragraph 128, Defendants are without sufficient
20 information or knowledge to form a belief as to the truth or falsity of the allegations in
21 Paragraph 128 and, therefore, deny such allegations.

22 129. Answering Paragraph 129, Defendants are without sufficient
23 information or knowledge to form a belief as to the truth or falsity of the allegations in
24 Paragraph 129 and, therefore, deny such allegations.

25 130. Answering Paragraph 130, Defendants are without sufficient
26 information or knowledge to form a belief as to the truth or falsity of the allegations in
27 Paragraph 130 and, therefore, deny such allegations.

28

1 131. Answering Paragraph 131, Defendants are without sufficient
2 information or knowledge to form a belief as to the truth or falsity of the allegations in
3 Paragraph 131 and, therefore, deny such allegations.

4 132. Answering Paragraph 132, Defendants are without sufficient
5 information or knowledge to form a belief as to the truth or falsity of the allegations in
6 Paragraph 132 and, therefore, deny such allegations.

7 133. Answering Paragraph 133, Defendants are without sufficient
8 information or knowledge to form a belief as to the truth or falsity of the allegations in
9 Paragraph 133 and, therefore, deny such allegations.

10 134. Answering Paragraph 134, Defendants are without sufficient
11 information or knowledge to form a belief as to the truth or falsity of the allegations in
12 Paragraph 134 and, therefore, deny such allegations.

13 135. Answering Paragraph 135, Defendants are without sufficient
14 information or knowledge to form a belief as to the truth or falsity of the allegations in
15 Paragraph 135 and, therefore, deny such allegations.

16 136. Answering Paragraph 136, Defendants are without sufficient
17 information or knowledge to form a belief as to the truth or falsity of the allegations in
18 Paragraph 136 and, therefore, deny such allegations.

19 137. Answering Paragraph 137, Defendants are without sufficient
20 information or knowledge to form a belief as to the truth or falsity of the allegations in
21 Paragraph 137 and, therefore, deny such allegations.

22 138. Answering Paragraph 138, Defendants are without sufficient
23 information or knowledge to form a belief as to the truth or falsity of the allegations in
24 Paragraph 138 and, therefore, deny such allegations.

25 139. Answering Paragraph 139, Defendants are without sufficient
26 information or knowledge to form a belief as to the truth or falsity of the allegations in
27 Paragraph 139 and, therefore, deny such allegations.

28

1 140. Answering Paragraph 140, Defendants are without sufficient
2 information or knowledge to form a belief as to the truth or falsity of the allegations in
3 Paragraph 140 and, therefore, deny such allegations.

4 141. Answering Paragraph 141, Defendants are without sufficient
5 information or knowledge to form a belief as to the truth or falsity of the allegations in
6 Paragraph 141 and, therefore, deny such allegations.

7 142. Answering Paragraph 142, Defendants are without sufficient
8 information or knowledge to form a belief as to the truth or falsity of the allegations in
9 Paragraph 142 and, therefore, deny such allegations.

10 143. Answering Paragraph 143, Defendants are without sufficient
11 information or knowledge to form a belief as to the truth or falsity of the allegations in
12 Paragraph 143 and, therefore, deny such allegations.

13 144. Answering Paragraph 144, Defendants are without sufficient
14 information or knowledge to form a belief as to the truth or falsity of the allegations in
15 Paragraph 144 and, therefore, deny such allegations.

16 145. Answering Paragraph 145, Defendants are without sufficient
17 information or knowledge to form a belief as to the truth or falsity of the allegations in
18 Paragraph 145 and, therefore, deny such allegations.

19 146. Answering Paragraph 146, Defendants are without sufficient
20 information or knowledge to form a belief as to the truth or falsity of the allegations in
21 Paragraph 146 and, therefore, deny such allegations.

22 147. Answering Paragraph 147, Defendants are without sufficient
23 information or knowledge to form a belief as to the truth or falsity of the allegations in
24 Paragraph 147 and, therefore, deny such allegations.

25 148. Answering Paragraph 148, Defendants are without sufficient
26 information or knowledge to form a belief as to the truth or falsity of the allegations in
27 Paragraph 148 and, therefore, deny such allegations.

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1 149. Answering Paragraph 149, Defendants are without sufficient
2 information or knowledge to form a belief as to the truth or falsity of the allegations in
3 Paragraph 149 and, therefore, deny such allegations.

4 150. Answering Paragraph 150, Defendants are without sufficient
5 information or knowledge to form a belief as to the truth or falsity of the allegations in
6 Paragraph 150 and, therefore, deny such allegations.

7 151. Answering Paragraph 151, Defendants are without sufficient
8 information or knowledge to form a belief as to the truth or falsity of the allegations in
9 Paragraph 151 and, therefore, deny such allegations.

10 152. Answering Paragraph 152, Defendants are without sufficient
11 information or knowledge to form a belief as to the truth or falsity of the allegations in
12 Paragraph 152 and, therefore, deny such allegations.

13 153. Answering Paragraph 153, Defendants are without sufficient
14 information or knowledge to form a belief as to the truth or falsity of the allegations in
15 Paragraph 153 and, therefore, deny such allegations.

16 154. Answering Paragraph 154, Defendants are without sufficient
17 information or knowledge to form a belief as to the truth or falsity of the allegations in
18 Paragraph 154 and, therefore, deny such allegations.

19 155. Answering Paragraph 155, Defendants are without sufficient
20 information or knowledge to form a belief as to the truth or falsity of the allegations in
21 Paragraph 155 and, therefore, deny such allegations.

22 156. Answering Paragraph 156, Defendants are without sufficient
23 information or knowledge to form a belief as to the truth or falsity of the allegations in
24 Paragraph 156 and, therefore, deny such allegations.

25 157. Answering Paragraph 157, Defendants are without sufficient
26 information or knowledge to form a belief as to the truth or falsity of the allegations in
27 Paragraph 157 and, therefore, deny such allegations.

28

1 158. Answering Paragraph 158, Defendants are without sufficient
2 information or knowledge to form a belief as to the truth or falsity of the allegations in
3 Paragraph 158 and, therefore, deny such allegations.

4 159. Answering Paragraph 159, Defendants are without sufficient
5 information or knowledge to form a belief as to the truth or falsity of the allegations in
6 Paragraph 159 and, therefore, deny such allegations.

7 160. Answering Paragraph 160, Defendants are without sufficient
8 information or knowledge to form a belief as to the truth or falsity of the allegations in
9 Paragraph 160 and, therefore, deny such allegations.

10 161. Answering Paragraph 161, Defendants are without sufficient
11 information or knowledge to form a belief as to the truth or falsity of the allegations in
12 Paragraph 161 and, therefore, deny such allegations.

13 162. Answering Paragraph 162, Defendants are without sufficient
14 information or knowledge to form a belief as to the truth or falsity of the allegations in
15 Paragraph 162 and, therefore, deny such allegations.

16 163. Answering Paragraph 163, Defendants are without sufficient
17 information or knowledge to form a belief as to the truth or falsity of the allegations in
18 Paragraph 163 and, therefore, deny such allegations.

19 164. Answering Paragraph 164, Defendants are without sufficient
20 information or knowledge to form a belief as to the truth or falsity of the allegations in
21 Paragraph 164 and, therefore, deny such allegations.

22 165. Answering Paragraph 165, Defendants are without sufficient
23 information or knowledge to form a belief as to the truth or falsity of the allegations in
24 Paragraph 165 and, therefore, deny such allegations.

25 166. Answering Paragraph 166, Defendants are without sufficient
26 information or knowledge to form a belief as to the truth or falsity of the allegations in
27 Paragraph 166 and, therefore, deny such allegations.

28

1 167. Answering Paragraph 167, Defendants are without sufficient
2 information or knowledge to form a belief as to the truth or falsity of the allegations in
3 Paragraph 167 and, therefore, deny such allegations.

4 168. Answering Paragraph 168, Defendants are without sufficient
5 information or knowledge to form a belief as to the truth or falsity of the allegations in
6 Paragraph 168 and, therefore, deny such allegations.

7 169. Answering Paragraph 169, Defendants are without sufficient
8 information or knowledge to form a belief as to the truth or falsity of the allegations in
9 Paragraph 169 and, therefore, deny such allegations.

10 170. Answering Paragraph 170, Defendants are without sufficient
11 information or knowledge to form a belief as to the truth or falsity of the allegations in
12 Paragraph 170 and, therefore, deny such allegations.

13 171. Answering Paragraph 171, Defendants are without sufficient
14 information or knowledge to form a belief as to the truth or falsity of the allegations in
15 Paragraph 171 and, therefore, deny such allegations.

16 172. Answering Paragraph 172, Defendants are without sufficient
17 information or knowledge to form a belief as to the truth or falsity of the allegations in
18 Paragraph 172 and, therefore, deny such allegations.

19 173. Answering Paragraph 173, Defendants are without sufficient
20 information or knowledge to form a belief as to the truth or falsity of the allegations in
21 Paragraph 173 and, therefore, deny such allegations.

22 174. Answering Paragraph 174, Defendants are without sufficient
23 information or knowledge to form a belief as to the truth or falsity of the allegations in
24 Paragraph 174 and, therefore, deny such allegations.

25 175. Answering Paragraph 175, Defendants are without sufficient
26 information or knowledge to form a belief as to the truth or falsity of the allegations in
27 Paragraph 175 and, therefore, deny such allegations.

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1 176. Answering Paragraph 176, Defendants are without sufficient
2 information or knowledge to form a belief as to the truth or falsity of the allegations in
3 Paragraph 176 and, therefore, deny such allegations.

4 177. Answering Paragraph 177, Defendants are without sufficient
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6 Paragraph 177 and, therefore, deny such allegations.

7 178. Answering Paragraph 178, Defendants are without sufficient
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9 Paragraph 178 and, therefore, deny such allegations.

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11 information or knowledge to form a belief as to the truth or falsity of the allegations in
12 Paragraph 179 and, therefore, deny such allegations.

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15 Paragraph 180 and, therefore, deny such allegations.

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17 information or knowledge to form a belief as to the truth or falsity of the allegations in
18 Paragraph 181 and, therefore, deny such allegations.

19 182. Answering Paragraph 182, Defendants are without sufficient
20 information or knowledge to form a belief as to the truth or falsity of the allegations in
21 Paragraph 182 and, therefore, deny such allegations.

22 183. Answering Paragraph 183, Defendants are without sufficient
23 information or knowledge to form a belief as to the truth or falsity of the allegations in
24 Paragraph 183 and, therefore, deny such allegations.

25 184. Answering Paragraph 184, Defendants are without sufficient
26 information or knowledge to form a belief as to the truth or falsity of the allegations in
27 Paragraph 184 and, therefore, deny such allegations.

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1 185. Answering Paragraph 185, Defendants are without sufficient
2 information or knowledge to form a belief as to the truth or falsity of the allegations in
3 Paragraph 185 and, therefore, deny such allegations.

4 186. Answering Paragraph 186, Defendants are without sufficient
5 information or knowledge to form a belief as to the truth or falsity of the allegations in
6 Paragraph 186 and, therefore, deny such allegations.

7 187. Answering Paragraph 187, Defendants are without sufficient
8 information or knowledge to form a belief as to the truth or falsity of the allegations in
9 Paragraph 187 and, therefore, deny such allegations.

10 188. Answering Paragraph 188, Defendants are without sufficient
11 information or knowledge to form a belief as to the truth or falsity of the allegations in
12 Paragraph 188 and, therefore, deny such allegations.

13 189. Answering Paragraph 189, Defendants are without sufficient
14 information or knowledge to form a belief as to the truth or falsity of the allegations in
15 Paragraph 189 and, therefore, deny such allegations.

16 190. Answering Paragraph 190, Defendants are without sufficient
17 information or knowledge to form a belief as to the truth or falsity of the allegations in
18 Paragraph 190 and, therefore, deny such allegations.

19 191. Answering Paragraph 191, Defendants are without sufficient
20 information or knowledge to form a belief as to the truth or falsity of the allegations in
21 Paragraph 191 and, therefore, deny such allegations.

22 192. Answering Paragraph 192, Defendants are without sufficient
23 information or knowledge to form a belief as to the truth or falsity of the allegations in
24 Paragraph 192 and, therefore, deny such allegations.

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27 Paragraph 193 and, therefore, deny such allegations.

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2 information or knowledge to form a belief as to the truth or falsity of the allegations in
3 Paragraph 194 and, therefore, deny such allegations.

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6 Paragraph 195 and, therefore, deny such allegations.

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9 Paragraph 196 and, therefore, deny such allegations.

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12 Paragraph 197 and, therefore, deny such allegations.

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14 information or knowledge to form a belief as to the truth or falsity of the allegations in
15 Paragraph 198 and, therefore, deny such allegations.

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18 Paragraph 199 and, therefore, deny such allegations.

19 200. Answering Paragraph 200, Defendants are without sufficient
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21 Paragraph 200 and, therefore, deny such allegations.

22 201. Answering Paragraph 201, Defendants are without sufficient
23 information or knowledge to form a belief as to the truth or falsity of the allegations in
24 Paragraph 201 and, therefore, deny such allegations.

25 202. Answering Paragraph 202, Defendants are without sufficient
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27 Paragraph 202 and, therefore, deny such allegations.

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2 information or knowledge to form a belief as to the truth or falsity of the allegations in
3 Paragraph 203 and, therefore, deny such allegations.

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6 Paragraph 204 and, therefore, deny such allegations.

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9 Paragraph 205 and, therefore, deny such allegations.

10 206. Answering Paragraph 206, Defendants are without sufficient
11 information or knowledge to form a belief as to the truth or falsity of the allegations in
12 Paragraph 206 and, therefore, deny such allegations.

13 207. Answering Paragraph 207, Defendants are without sufficient
14 information or knowledge to form a belief as to the truth or falsity of the allegations in
15 Paragraph 207 and, therefore, deny such allegations.

16 208. Answering Paragraph 208, Defendants are without sufficient
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18 Paragraph 208 and, therefore, deny such allegations.

19 209. Answering Paragraph 209, Defendants are without sufficient
20 information or knowledge to form a belief as to the truth or falsity of the allegations in
21 Paragraph 209 and, therefore, deny such allegations.

22 210. Answering Paragraph 210, Defendants are without sufficient
23 information or knowledge to form a belief as to the truth or falsity of the allegations in
24 Paragraph 210 and, therefore, deny such allegations.

25 211. Answering Paragraph 211, Defendants are without sufficient
26 information or knowledge to form a belief as to the truth or falsity of the allegations in
27 Paragraph 211 and, therefore, deny such allegations.

28

1 212. Answering Paragraph 212, Defendants are without sufficient
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3 Paragraph 212 and, therefore, deny such allegations.

4 213. Answering Paragraph 213, Defendants are without sufficient
5 information or knowledge to form a belief as to the truth or falsity of the allegations in
6 Paragraph 213 and, therefore, deny such allegations.

7 214. Answering Paragraph 214, Defendants are without sufficient
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9 Paragraph 214 and, therefore, deny such allegations.

10 215. Answering Paragraph 215, Defendants are without sufficient
11 information or knowledge to form a belief as to the truth or falsity of the allegations in
12 Paragraph 215 and, therefore, deny such allegations.

13 216. Answering Paragraph 216, Defendants are without sufficient
14 information or knowledge to form a belief as to the truth or falsity of the allegations in
15 Paragraph 216 and, therefore, deny such allegations.

16 217. Answering Paragraph 217, Defendants are without sufficient
17 information or knowledge to form a belief as to the truth or falsity of the allegations in
18 Paragraph 217 and, therefore, deny such allegations.

19 218. Answering Paragraph 218, Defendants are without sufficient
20 information or knowledge to form a belief as to the truth or falsity of the allegations in
21 Paragraph 218 and, therefore, deny such allegations.

22 219. Answering Paragraph 219, Defendants are without sufficient
23 information or knowledge to form a belief as to the truth or falsity of the allegations in
24 Paragraph 219 and, therefore, deny such allegations.

25 220. Answering Paragraph 220, Defendants are without sufficient
26 information or knowledge to form a belief as to the truth or falsity of the allegations in
27 Paragraph 220 and, therefore, deny such allegations.

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1 221. Answering Paragraph 221, Defendants are without sufficient
2 information or knowledge to form a belief as to the truth or falsity of the allegations in
3 Paragraph 221 and, therefore, deny such allegations.

4 **The 2018-2019 School Year**

5 222. Answering Paragraph 222, Defendants are without sufficient
6 information or knowledge to form a belief as to the truth or falsity of the allegations in
7 Paragraph 222 and, therefore, deny such allegations.

8 223. Answering Paragraph 223, Defendants are without sufficient
9 information or knowledge to form a belief as to the truth or falsity of the allegations in
10 Paragraph 223 and, therefore, deny such allegations.

11 224. Answering Paragraph 224, Defendants are without sufficient
12 information or knowledge to form a belief as to the truth or falsity of the allegations in
13 Paragraph 224 and, therefore, deny such allegations.

14 225. Answering Paragraph 225, Defendants are without sufficient
15 information or knowledge to form a belief as to the truth or falsity of the allegations in
16 Paragraph 225 and, therefore, deny such allegations.

17 226. Answering Paragraph 226, Defendants are without sufficient
18 information or knowledge to form a belief as to the truth or falsity of the allegations in
19 Paragraph 226 and, therefore, deny such allegations.

20 227. Answering Paragraph 227, Defendants are without sufficient
21 information or knowledge to form a belief as to the truth or falsity of the allegations in
22 Paragraph 227 and, therefore, deny such allegations.

23 228. Answering Paragraph 228, Defendants are without sufficient
24 information or knowledge to form a belief as to the truth or falsity of the allegations in
25 Paragraph 228 and, therefore, deny such allegations.

26 229. Answering Paragraph 229, Defendants are without sufficient
27 information or knowledge to form a belief as to the truth or falsity of the allegations in
28 Paragraph 229 and, therefore, deny such allegations.

1 230. Answering Paragraph 230, Defendants are without sufficient
2 information or knowledge to form a belief as to the truth or falsity of the allegations in
3 Paragraph 230 and, therefore, deny such allegations.

4 231. Answering Paragraph 231, Defendants are without sufficient
5 information or knowledge to form a belief as to the truth or falsity of the allegations in
6 Paragraph 231 and, therefore, deny such allegations.

7 232. Answering Paragraph 232, Defendants are without sufficient
8 information or knowledge to form a belief as to the truth or falsity of the allegations in
9 Paragraph 232 and, therefore, deny such allegations.

10 **Paseo Hills School Year 2019-2020**

11 233. Answering Paragraph 233, Defendants are without sufficient
12 information or knowledge to form a belief as to the truth or falsity of the allegations in
13 Paragraph 233 and, therefore, deny such allegations.

14 234. Answering Paragraph 234, Defendants are without sufficient
15 information or knowledge to form a belief as to the truth or falsity of the allegations in
16 Paragraph 234 and, therefore, deny such allegations.

17 235. Answering Paragraph 235, Defendants are without sufficient
18 information or knowledge to form a belief as to the truth or falsity of the allegations in
19 Paragraph 235 and, therefore, deny such allegations.

20 236. Answering Paragraph 236, Defendants are without sufficient
21 information or knowledge to form a belief as to the truth or falsity of the allegations in
22 Paragraph 236 and, therefore, deny such allegations.

23 237. Answering Paragraph 237, Defendants are without sufficient
24 information or knowledge to form a belief as to the truth or falsity of the allegations in
25 Paragraph 237 and, therefore, deny such allegations.

26 238. Answering Paragraph 238, Defendants are without sufficient
27 information or knowledge to form a belief as to the truth or falsity of the allegations in
28 Paragraph 238 and, therefore, deny such allegations.

1 239. Answering Paragraph 239, Defendants are without sufficient
2 information or knowledge to form a belief as to the truth or falsity of the allegations in
3 Paragraph 239 and, therefore, deny such allegations.

4 240. Answering Paragraph 240, Defendants are without sufficient
5 information or knowledge to form a belief as to the truth or falsity of the allegations in
6 Paragraph 240 and, therefore, deny such allegations.

7 241. Answering Paragraph 241, Defendants are without sufficient
8 information or knowledge to form a belief as to the truth or falsity of the allegations in
9 Paragraph 241 and, therefore, deny such allegations.

10 242. Answering Paragraph 242, Defendants are without sufficient
11 information or knowledge to form a belief as to the truth or falsity of the allegations in
12 Paragraph 242 and, therefore, deny such allegations.

13 243. Answering Paragraph 243, Defendants are without sufficient
14 information or knowledge to form a belief as to the truth or falsity of the allegations in
15 Paragraph 243 and, therefore, deny such allegations.

16 **The 2020 – 2022 School Years**

17 244. Defendants admit the allegations in Paragraph 244.

18 245. Answering Paragraph 245, Defendants admit only that Joshua
19 Rawlings emailed the Vistancia parents on October 25, 2021 regarding October being
20 national bullying awareness month and deny the remaining allegations in Paragraph 245.

21 246. Defendants admit the allegations in Paragraph 246.

22 247. Answering Paragraph 247, Defendants admit only that MC had gotten
23 into a fight but deny the remaining allegations in Paragraph 247.

24 248. Defendants admit the allegations in Paragraph 248.

25 249. Defendants deny the allegations in Paragraph 249.

26 250. Answering Paragraph 250, Defendants are without sufficient
27 information or knowledge to form a belief as to the truth or falsity of the allegations in
28 Paragraph 250 and, therefore, deny such allegations.

1 251. Answering Paragraph 251, Defendants are without sufficient
2 information or knowledge to form a belief as to the truth or falsity of the allegations in
3 Paragraph 251 and, therefore, deny such allegations.

4 252. Answering Paragraph 252, Defendants admit only that Sarah Johnson
5 emailed Joshua Rawlings on December 9, 2021 and assert that the December 9, 2021 email
6 from Sarah Johnson to Joshua Rawlings speaks for itself.

7 253. Answering Paragraph 253, Defendants admit only that Joshua
8 Rawlings emailed Sarah Johnson back on December 9, 2021 and assert that his December
9 9, 2021 email speaks for itself.

10 254. Defendants deny the allegations in Paragraph 254.

11 255. Answering Paragraph 255, Defendants admit only that Sarah Johnson
12 emailed Joshua Rawlings on February 9, 2022 and assert that the February 9, 2022 email
13 speaks for itself.

14 256. Answering Paragraph 256, Defendants are without sufficient
15 information or knowledge to form a belief as to the truth or falsity of the allegations in
16 Paragraph 256 and, therefore, deny such allegations.

17 257. Answering Paragraph 257, Defendants are without sufficient
18 information or knowledge to form a belief as to the truth or falsity of the allegations in
19 Paragraph 227 and, therefore, deny such allegations.

20 258. Answering Paragraph 258, Defendants are without sufficient
21 information or knowledge to form a belief as to the truth or falsity of the allegations in
22 Paragraph 258 and, therefore, deny such allegations.

23 259. Answering Paragraph 259, Defendants are without sufficient
24 information or knowledge to form a belief as to the truth or falsity of the allegations in
25 Paragraph 259 and, therefore, deny such allegations.

26 260. Answering Paragraph 260, Defendants admit only that Joshua
27 Rawlings emailed Sarah Johnson on February 11, 2022 and assert that his February 11,
28 2022 speaks for itself.

1 261. Defendants admit the allegations in Paragraph 261.

2 262. Defendants deny the allegations in Paragraph 262 and assert that the
3 OCR complaint speaks for itself.

4 **COUNT I**

5 **VIOLATION OF TITLE VI**

6 (CCUSD, PUSD AND DVUSD)

7 263. Answering Paragraph 263, Defendants incorporate, by reference, as if
8 fully restated herein, all of their answers in the preceding paragraphs including all
9 affirmative defenses.

10 264. Defendants admit the allegations in Paragraph 264.

11 265. Defendants admit the allegations in Paragraph 265.

12 266. Answering Paragraph 266, Defendants are without sufficient
13 information or knowledge to form a belief as to the truth or falsity of the allegations in
14 Paragraph 266 and, therefore, deny such allegations.

15 267. Defendants deny the allegations in Paragraph 267 as it is unknown as
16 to who is the “recipient.”.

17 268. Defendants deny the allegations in Paragraph 268.

18 269. Defendants deny the allegations in Paragraph 269.

19 270. Defendants deny the allegations in Paragraph 270.

20 271. Defendants deny the allegations in Paragraph 271.

21 **COUNT II – NEGLIGENT FAILURE TO PROTECT**

22 (CCUSD, PUSD AND DVUSD)

23 272. Answering Paragraph 272, Defendants incorporate, by reference, as if
24 fully restated herein, all of their answers in the preceding paragraphs including all
25 affirmative defenses.

26 273. Defendants admit the allegations in Paragraph 273.

27 274. Defendants admit the allegations in Paragraph 274.

28 275. Defendants admit the allegations in Paragraph 275.

1 276. Defendants deny the allegations in Paragraph 276.

2 277. Defendants deny the allegations in Paragraph 277.

3 **COUNT III – NEGLIGENCE / GROSS NEGLIGENCE**

4 **(Against All Defendants)**

5 278. Answering Paragraph 278, Defendants incorporate, by reference, as if
6 fully restated herein, all of their answers in the preceding paragraphs including all
7 affirmative defenses.

8 279. Defendants admit the allegations in Paragraph 279.

9 280. Defendants admit the allegations in Paragraph 280.

10 281. Defendants admit the allegations in Paragraph 281.

11 282. Defendants deny the allegations in Paragraph 282.

12 283. Defendants admit the allegations in Paragraph 283.

13 284. Defendants admit the allegations in Paragraph 284.

14 285. Defendants deny the allegations in Paragraph 285.

15 286. Defendants deny the allegations in Paragraph 286.

16 287. Defendants deny the allegations in Paragraph 287.

17 288. Defendants deny the allegations in Paragraph 288.

18 289. Defendants deny the allegations in Paragraph 289.

19 290. Defendants deny the allegations in Paragraph 290.

20 **COUNT IV – NEGLIGENCE *PER SE***

21 **(Against All Defendants)**

22 291. Answering Paragraph 291, Defendants incorporate, by reference, as if
23 fully restated herein, all if their answers in the preceding paragraphs including all
24 affirmative defenses.

25 292. Defendants admit the allegations in Paragraph 292.

26 293. Defendants deny the allegations in Paragraph 293.

27 294. Defendants deny the allegations in Paragraph 294.

28 295. Defendants deny the allegations in Paragraph 295.

1 296. Defendants deny the allegations in Paragraph 296.

2 297. Defendants deny the allegations in Paragraph 297.

3 298. Defendants deny the allegations in Paragraph 298.

4 **COUNT V – NEGLIGENT HIRING, SUPERVISION, TRAINING AND**
5 **RETENTION**

6 (CCUSD, PUSD, AND DVUSD)

7 299. Answering Paragraph 299, Defendants incorporate, by reference, as if
8 fully restated herein, all of their answers in the preceding paragraphs including all
9 affirmative defenses.

10 300. Defendants admit the allegations in Paragraph 300.

11 301. Defendants admit the allegations in Paragraph 301.

12 302. Defendants deny the allegations in Paragraph 302.

13 **AFFIRMATIVE DEFENSES**

14 303. Defendants incorporate by this reference, as if fully set forth herein,
15 all of its answers in the preceding paragraphs.

16 304. As and for a separate defense and, in the alternative, Plaintiff fails to
17 state a claim upon which relief may be granted.

18 305. As and for a separate defense and, in the alternative, Defendants may
19 be entitled to qualified and/or absolute immunity.

20 306. As and for a separate defense and, in the alternative, Defendants assert
21 that facts relied on in OCR's findings are allegations that have not yet been proven to be
22 true.

23 307. As and for a separate defense and, in the alternative, Plaintiff's
24 damages were directly and proximately caused in whole or in part by the acts or omissions
25 of other parties, named and unnamed, and these answering Defendants' liability to Plaintiff,
26 if any, should be apportioned, denied, or reduced in accordance with each party or non-
27 parties' degree of fault or responsibility.

28

1 308. As and for a separate defense, and in the alternative, any injuries and
2 damages allegedly sustained by Plaintiff was unrelated to any alleged negligence, fault,
3 misconduct, want of care or breach of a legal duty by these answering Defendants.

4 309. As and for a separate defense, and in the alternative, no alleged act or
5 omission on the part of these answering Defendants caused or contributed to Plaintiff's
6 claimed injuries and damages.

7 310. As and for a separate defense, Defendants assert that Plaintiff failed
8 to mitigate said damages in Plaintiff's Complaint.

9 311. As and for a separate defense and, in the alternative, Defendants also
10 assert ignorance of the law, waiver, contributory or comparative negligence, unclean hands,
11 and permission/invitation/consent.

12 312. As and for a separate defense, and in the alternative, Plaintiff is not
13 entitled to prejudgment interest on any damages awarded since these damages, if any, are
14 not liquidated.

15 313. As and for a separate defense and in the alternative, these answering
16 Defendants assert that with respect to the claim for punitive damages, Plaintiff has failed
17 to state claims for which relief may be granted as a matter of law under a number of claims
18 including those arising out of the Title VI violations.

19 314. As and for a separate defense and in the alternative, these answering
20 Defendants assert that all claims for punitive damages violate the due process clauses of
21 both the Arizona and United States Constitutions.

22 315. As and for a separate defense and in the alternative, these answering
23 Defendants assert that all claims for punitive damages are not recoverable against public
24 employees or public entities.

25 316. As and for a separate defense and, in the alternative, the imposition of
26 punitive damages under Arizona law violates the Equal Protection Clause of the Fifth and
27 Fourteenth Amendments of the United States Constitution, as well as the Contract Clause,
28 in each of the following ways.

1 a. Arizona law permits the imposition of unlimited punitive damages
2 that are vastly disproportionate to any actual or compensatory injuries thereby violating the
3 Fourteenth Amendment of the United States Constitution.

4 b. Disproportionate punitive damages constitute an arbitrary and
5 capricious taking of property which is unjustified by any rational governmental interest
6 thereby violating the Fifth and Fourteenth Amendments of the United States Constitution.

7 c. The award of any punitive damages without certain safeguards to
8 guard the jury's discretion in determining the amount of damages is contrary to due process
9 under the Fourteenth Amendment of the United States Constitution.

10 d. Arizona does not provide a reasonable limit on the amount of any
11 punitive damage award thus violating the Fourteenth Amendment of the United States
12 Constitution.

13 e. The substantive standards of liability under which punitive damages
14 are sought in this case are ambiguous, subjective and not reasonably ascertainable and are
15 thus void for vagueness under the Fourteenth Amendment of the United States
16 Constitution.

17 f. Arizona law permits civil punishment upon a standard of proof less
18 than is required for the imposition of criminal sanctions.

19 g. Arizona law permits joint and several punishment of defendants who
20 are guilty of different acts and degrees of culpability.

21 h. Arizona law permits multiple awards of punitive damages for the
22 single alleged act or omission.

23 317. As and for a separate defense and in the alternative, these answering
24 Defendants assert that Plaintiff is not entitled to recover attorney's fees.

25 318. Although this answering Defendant does not presently have specific
26 facts in support of the remaining defenses, it wishes to put counsel for Plaintiff on notice
27 that it hereby raises the affirmative defenses set forth in Rule 8(c) and Rule 12, Federal
28

1 Rules of Civil Procedure, which, through subsequent discovery, may indeed be supported
2 by the facts.

3 WHEREFORE, having fully answered Plaintiff's Complaint, Defendants
4 pray that Plaintiff takes nothing, and that the Complaint be dismissed, and that Defendants
5 be awarded their costs and attorneys' fees incurred herein. Defendants demand a jury trial
6 as to all triable issues.

7
8 DATED this 11th day of April, 2025.

9 JONES, SKELTON & HOCHULI, P.L.C.

10
11 By 

12 John D. Lierman
13 Clarissa B. Reiman
14 40 N. Central Avenue, Suite 2700
15 Phoenix, Arizona 85004
16 Attorneys for Defendant Peoria Unified
17 School District
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CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of April, 2025, I caused the foregoing document to be filed electronically with the Clerk of Court through the CM/ECF System for filing; and served on counsel of record via the Court's CM/ECF system.

I further certify that some of the participants in the case are not registered CM/ECF users. I have mailed the foregoing document to the following non-CM/ECF participants:

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